REMARKS

The following remarks are made in response to the Non-Final Office Action mailed July 20, 2009. In that Office Action, claims 5-14, 16-18, 20, and 22 were rejected under 35 U.S.C. 35 U.S.C. §103(a) as being unpatentable over Nordin, U.S. Patent No. 5,804,274 ("Nordin") in view of Meitner et al., U.S. Patent No. 4,426,417 ("Meitner"). Claim 19 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nordin in view of Meitner as applied to claim 16 above, and further in view of Truong et al., U.S. Publication No. 2004/0074520 ("Truong"). Claims 15 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nordin in view of Meitner as applied to claims 11 and 16 above, and further in view of Kresse, U.S. Patent No. 4,961,242 ("Kresse").

With this Response, the claims remain unchanged. Claims 5-22 remain pending in the application and are presented for reconsideration and allowance.

35 U.S.C. §103 Rejections

In *Graham v. John Deere Co. of Kansas* City, the Supreme Court laid out an analysis for obviousness, noting that the scope and content of the prior art are to be determined, the differences between the prior art and the claims at issue are ascertained, and the level of ordinary skill in the pertinent art resolved. *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 15-17 (1966). During this analysis, a reason to combine elements is important, as noted in *KSR International Co. v. Teleflex, Inc.*,

> "Although common sense directs one to look with care at a patent application that claims as innovation the combination of two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinal skill in the relevant field to combine the elements in the way the claimed new invention does. This is so because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known." *KSR International Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007).

The obviousness analysis must be objective. *KSR* at 1734. Thus, the prior art must be objectively analyzed for what it discloses and teaches, including disclosure that may teach away from the invention as claimed. Then, that objective analysis of the prior art is compared against the claimed invention.

In the present case, Nordin describes a cleaning cloth with a combination of long loops 3 and short loops 2. To this end, Nordin describes the long loops 3 with absorption ability and in particular discloses that the long loops 3 are 100% polyester. *See Nordin, col. 4, ll. 1-5.* Moreover, Nordin recognizes that the long loops 3 should have absorption capability such that the cleaning cloth can properly function. *See Nordin, col. 3, ll. 20-29.* In particular, Nordin teaches away from lessening the absorption capabilities of the long loops 3 primarily to keep the water absorption ability of the cloth to a certain level so as to not destroy the overall functionality of the cleaning cloth. Thus, when viewed objectively, Nordin does not provide any motivation for, and in fact teaches away from, using a material for the long loops 3 that would have less water absorbency than the disclosed 100% polyester. Instead, one skilled in the art, when reviewing Nordin, would utilize a material with the same or more water absorbency than the 100% polyester. As averred by one of skill in the pending application (page 5 lines 7-8), the polypropylene fibers of independent claims 5 and 16 have little water absorbency. Thus, to the extent of skill might consider modifying the polyester long loop material, the underlying premise of Nordin that the long loops 3 exhibit absorbency would at all times be present and would lead one of skill away from considering the polypropylene fibers as claimed. For at least these reasons, Nordin does not reasonably make obvious features of the claims.

Meitner fails to cure the deficiencies of Nordin. While Meitner discloses using polypropylene fibers, the alleged motivation of "...economy as well as improved wiping properties" does not match with the desire in Nordin of providing a sufficient level of absorption in the long loops 3 so as to function properly as a cleaning cloth. Furthermore, the Office Action fails to provide any evidence that the alleged combination cloth would have improved economy and wiping properties. Instead, it appears that the advantages alleged are based on hindsight. As

a result, when viewing the references objectively and in their entirety, the features of claims 5-22 are inventive and patentable.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 5-22 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 5-22 are respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-0471.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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